

Application Serial No.: 10/584,239
Response Filed: October 24, 2011

REMARKS

Claims 1-19 remain pending, with claims 1, 9 and 13 being independent.

Applicants note that the Examiner indicated in the Office Action Summary that the outstanding office action is non-final. However, the concluding part of the office action states that it is final. Clarification is requested.

Rejection of claims 1-4, 9 and 13-17 under 35 U.S.C. § 102(e) as allegedly being anticipated by US. Pub. No. 2004/0107368 (hereinafter, Colvin)

Applicants respectfully traverse this rejection.

Reply to Examiner's Response to Earlier Arguments

Applicants thank the Examiner for the detailed comments on pages 2-4 of the outstanding office action.

The Examiner indicated that Applicants' statement in the previous response was not understood. The Examiner quoted the following excerpt: "Since the terminal identification information is unique to each of the terminals, there will not be a match [between the terminal identification information]..." and indicated that this step of claim 1 would be "meaningless". The quoted segment above is only a small excerpt of what was stated, and a further reading is required for a more complete understanding.

The full excerpt of Applicants' remarks, with regard to an exemplary

embodiment of the present application, is restated as follows:

"Since the terminal identification information is unique to each of the terminals, there will not be a match and the user of the second terminal is queried whether he or she wishes to register the contents by connecting to a contents server. Upon approval by the user of the second terminal to register the contents, the terminal identification information of the second terminal replaces the terminal identification of the first terminal in the contents. Since at this point, the terminal information of the second terminal is attached to the contents, the second terminal may open the contents."

In other words, content is downloaded with the first terminal identification information to the first terminal. Thereafter, the content is sent from the first terminal to a second terminal. The second terminal will check if the terminal identification information in the content matches that of the second terminal. The Examiner alleged that this step is "meaningless" since the terminal identification information of each of the terminals is unique, and presumably there will not be a match. Applicants do not agree.

The Examiner has not considered a case in which the terminal identification information in the content from one terminal matches that of another terminal. In such situation, the content receiving terminal confirms that the content received from the content sending terminal originated from the receiving terminal, and thus the content receiving terminal is authorized to use the content. The content receiving terminal may have previously deleted such content in order to conserve memory.

Based on the flawed reasoning that checking the terminal identification

(unique to each terminal) of the content from the first terminal by the second terminal is “meaningless”, the Examiner alleged that the claimed terminal identification information is “broad and subject to a variety of interpretation” (see last paragraph, second page of the outstanding office action). However, the specification of the application clearly states that the terminal identification information of each terminal is unique and there is nothing in the claims that would render a contrary interpretation.

With reference to page 7 of the specification, in an exemplary embodiment of the present application, the terminal identification number comprises MSN (a Mobile Identification Number, which identifies the phone number of the terminal and the mobile communication service provider) and ESN (Electronic Serial Number, which is a 32-bit electronic serial number of the terminal. Since, no two terminals can have the same terminal identification number (e.g. same MIN and ESN) there is no basis to support the Examiner’s assertion that the terminal identification number can be interpreted broadly to ignore the fact that the terminal identification number is unique to each terminal.

Based on the flawed allegation that the terminal identification number is not unique to each terminal, the Examiner alleged that since the authentication code of Colvin includes hardware or device specific information, it is equivalent to the claimed terminal identification number (first full paragraph of page 3 of the outstanding office action). In this regard, information with regard to hardware or device in Colvin’s authentication code is not unique, since such information is for a type of hardware or device, and not unique for a particular unit of each hardware or device.

With regard to Applicants' remarks that an exemplary embodiment of the present application is advantageous over Colvin in that there is no requirement for the user to enter highly personal information, each time a contents file is downloaded and stored, or prior to opening a transferred or copied contents file in another device, the Examiner stated that this is "not the point of the claim analysis..." (See second full paragraph of page 3 of the outstanding office action). Applicants do not agree. Since the authentication code of Colvin is not unique, the user is required to enter highly personal information, each time a contents file is downloaded and stored, or prior to opening a transferred or copied contents file in another device. Such requirements in Colvin further strengthens the argument that the authentication code of Colvin is not unique, which clearly is a distinguishing factor between Colvin and an exemplary embodiment of the present application.

The Examiner further alleges that adding personal information into the authentication code will result in a unique code (third full paragraph of page 3 of the outstanding office action), but such reasoning is flawed since a user can add the same personal information for different units of the same hardware or device, resulting in authentication codes that are not unique.

With regard to the fourth paragraph of page 3 of the outstanding office action, the objected-to arguments have been removed in this paper.

Claim 1

The Examiner alleged that Colvin teaches a method of storing and reproducing contents, comprising connecting to a contents sever, downloading contents from the contents server, and storing the downloaded contents along with *terminal identification information of a first terminal by the first terminal*, and

transmitting the contents with the terminal identification information to a second terminal by the first terminal. Applicants respectfully disagree.

As noted above, in Colvin, before contents are downloaded to a first device, the user must supply personal registration information, such a user name, and email address. In addition, information may automatically be accessed from the first device to procure machine or device registration information, such as MAC address, hardware ID, and IP. (See 120 in Figure 2 of Colvin). The registration information, both personal and from the first device, is utilized by an authentication code generator to generate an authentication code (AC). The authentication code is then added to the content files that are stored in the first device. However, such authentication code is not unique, as explained above.

Claim 1 recites storing the downloaded contents along with terminal identification information of a first terminal. The terminal identification information is unique to each terminal (see page 3, first full paragraph of the present application, as filed) and does not require incorporation therein of personal information or other device registration information such as MAC address, hardware ID, and IP, as in Colvin. Incorporation of such personal information will not result in a unique authentication code, as explained.

Colvin does not teach the elements of claim 1. Withdrawal of this rejection is requested.

Claim 9

The Examiner alleged that Colvin teaches a method of storing contents in a terminal, comprising the steps of: connecting to a contents server and downloading

contents; reading preliminarily stored terminal identification information; and storing the downloaded contents together with the read terminal identification information. Applicants respectfully disagree.

As noted above, the terminal identification information is unique to each terminal. Claim 9 recites connecting to a contents server and downloading contents, reading preliminarily stored terminal identification information, and storing the downloaded contents together with the read terminal identification information.

In contrast, in Colvin, before contents are downloaded to a first device, the user must supply personal registration information, such a user name, and email address. In addition, information may automatically be accessed from the first device to procure machine or device registration information, such as MAC address, hardware ID, and IP. (See 120 in Figure 2 of Colvin). The registration information, both personal and from the first device, is utilized by an authentication code generator to generate an authentication code (AC). The authentication code is then added to the content files that are stored in the first device. The authentication code of Colvin is not unique, and therefore, it is not equivalent to the claimed terminal identification information.

Colvin does not teach the elements of claim 9. Withdrawal of this rejection is requested.

Claim 13

The Examiner alleged that Colvin teaches a method of reproducing contents in a terminal, comprising the steps of checking *terminal identification information attached to stored contents, comparing the terminal identification information*

attached to the contents with terminal identification information of the terminal, and reproducing the contents, wherein the terminal identification information is attached to the contents with terminal identification information of the terminal. Applicants respectfully disagree.

As noted above, the terminal identification information is unique to each terminal.

In contrast, in Colvin, before contents are downloaded to a first device, the user must supply personal registration information, such a user name, and email address. In addition, information may automatically be accessed from the first device to procure machine or device registration information, such as MAC address, hardware ID, and IP. (See 120 in Figure 2 of Colvin). The registration information, both personal and from the first device, is utilized by an authentication code generator to generate an authentication code (AC). The authentication code is then added to the content files that are stored in the first device. The authentication code of Colvin is not unique, and therefore, it is not equivalent to the claimed terminal identification information.

Colvin does not teach the elements of claim 13. Withdrawal of this rejection is requested.

Additional Arguments

In Colvin, before contents are downloaded to a first device, the user must supply personal registration information, such a user name, and email address. This is an attempt to create an authentication code that cannot be easily hacked. In

addition, information may automatically be accessed from the first device to procure machine or device registration information, such as MAC address, hardware ID, and IP. (See 120 in Figure 2 of Colvin). The registration information, both personal and from the first device, is utilized by an authentication code generator to generate an authentication code (AC).

The authentication code is then added to the content files that are stored in the first device. Thereafter, if the content files are transferred or copied to a second device, in order to use the content files, the second device is configured to prompt the user to enter personal information or registration information, which is used to compare with the authentication code added to the content files. Only if a portion of the registration information matches the authentication code, the content files may be opened. (See paragraph 0123 of Colvin). Thus, a unique authentication code is not required in Colvin.

This contrasts with an exemplary embodiment of the present application, in which contents are downloaded to a first terminal and stored along with terminal identification information of the first terminal. Thereafter, if the contents are copied or transferred to a second terminal, the terminal identification information of the first terminal attached to the contents is compared with the terminal identification information of the second terminal. Since the terminal identification information is unique to each of the terminals, there may not be a match and the user of the second terminal is queried whether he or she wishes to register the contents by connecting to a contents server. Upon approval by the user of the second terminal to register the contents, the terminal identification information of the second terminal replaces the terminal identification of the first terminal in the contents. Since at this point, the terminal information of the second terminal is attached to the contents, the

second terminal may open the contents.

In an exemplary embodiment of the present application, there is no requirement to input highly personal registration information that is permanently attached to the contents, as in Colvin, in order to create an authentication code that is not unique. Further, in an exemplary embodiment of the present application, there is no need to generate an authentication code by prompting an authentication code generator to generate an authentication code, which saves processing time that would otherwise drain precious battery and other resources of the terminal. In addition, in an exemplary embodiment of the present application, there is no requirement for the user to enter highly personal information, each time a contents file is downloaded and stored, or prior to opening a transferred or copied contents file in another device, which may easily become appropriated and used for illicit purposes.

Claims 2-4 and 14-17

Claims 2-4 and 14-17 depend from independent claims 1, 9 and 13. Since Colvin does not anticipate all of the elements of independent claims 1, 9 and 13, as argued above, withdrawal of the rejection of claims 2-4 and 14-17 is requested.

Rejection of claims 5, 6, 18 and 19 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Colvin in view of US. Pub. No. 2005/0004873 (hereinafter, Pou)

Applicants respectfully traverse this rejection.

The Examiner acknowledged that Colvin does not disclose the elements

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specific to claims 5, 6, 18 and 19, and cited Pou for the sole purpose of allegedly disclosing such elements. However, Pou does not cure the deficiencies of Colvin, with regard to independent claims 1 and 13 from which claims 5, 6, 18 and 19 depend. Therefore, withdrawal of this rejection is requested.

Rejection of claims 7 and 11 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Colvin in view of US. Pub. No. 2002/0016846 (hereinafter, Ono)

Applicants respectfully traverse this rejection.

The Examiner acknowledged that Colvin does not disclose the elements specific to claims 7 and 11, and cited Ono for the sole purpose of allegedly disclosing such elements. However, Ono does not cure the deficiencies of Colvin, with regard to independent claims 1 and 9 from which claims 7 and 11 depend. Therefore, withdrawal of this rejection is requested.

Rejection of claims 8, 10 and 12 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Colvin in view of US. Pub. No. 2003/0195851 (hereinafter, Ong)

Applicants respectfully traverse this rejection.

The Examiner acknowledged that Colvin does not disclose the elements specific to claims 8, 10 and 12, and cited Ong for the sole purpose of allegedly disclosing such elements. However, Ong does not cure the deficiencies of Colvin, with regard to independent claims 1 and 9 from which claims 8, 10 and 12 depend.

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Therefore, withdrawal of this rejection is requested.

Conclusion

In view of the above, it is believed that the above-identified application is in condition for allowance, and notice to that effect is respectfully requested. Should the Examiner have any questions, the Examiner is encouraged to contact the undersigned at the telephone number indicated below.

The Commissioner is authorized to charge any fees or credit any overpayments which may be incurred in connection with this paper to Deposit Account No. 18-2220.

Respectfully submitted,

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